

# Draft

## PERMIT

**Permit No:** 201001943-MG

**Municipality:** Groton Long Point (Town of Groton)

**Work Area:** Fishers Island Sound off property located at 29 East Shore Avenue

**Permittee:** David Yandow  
276 Lexington Road  
Glastonbury, CT 06033-4342

Pursuant to sections 22a-359 through 22a-363f of the Connecticut General Statutes ("CGS") and in accordance with CGS section 22a-98 and the Connecticut Water Quality Standards dated December 2002, a permit is hereby granted by the Commissioner of Environmental Protection ("Commissioner") to construct a fixed pier and two personal watercraft lifts for private recreational boating use as is more specifically described below in the SCOPE OF AUTHORIZATION, in Fishers Island Sound off property identified as the "work area" above.

### **\*\*\*\*\*NOTICE TO PERMITTEES AND CONTRACTORS\*\*\*\*\***

**UPON INITIATION OF ANY WORK AUTHORIZED HEREIN, THE PERMITTEE ACCEPTS AND AGREES TO COMPLY WITH ALL TERMS AND CONDITIONS OF THIS PERMIT. FAILURE TO CONFORM TO THE TERMS AND CONDITIONS OF THIS PERMIT MAY SUBJECT THE PERMITTEE AND ANY CONTRACTOR TO ENFORCEMENT ACTIONS, INCLUDING INJUNCTIONS AS PROVIDED BY LAW AND PENALTIES UP TO \$1,000.00 PER DAY PURSUANT TO THE ADMINISTRATIVE CIVIL PENALTY POLICY DESCRIBED IN SECTIONS 22a-6b-1 THROUGH 22a-6b-15 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES.**

### **SCOPE OF AUTHORIZATION**

The Permittee is hereby authorized to conduct the following work as described in application #201001943-MG including one location map and four (4) sheets of plans, the location map and Sheets 1 and 3 of 4 revised March 10, 2010, Sheet 2 of 4 revised March 26, 2010 and Sheet 4 of 4 revised March 8, 2010, submitted by the Permittee to the Commissioner and attached hereto as follows:

1. retain existing stone riprap; and
2. construct a 5' wide by 100' long battered fixed pile and timber pier, of which 85' is located waterward of the high tide line with utilities, five (5) ships ladders, a davit on south side of the pier, two (2) personal watercraft lifts on the north side of the pier and four (4) tie-off piles as shown on the plans attached hereto.

**SPECIAL TERMS AND CONDITIONS**

1. Except as specifically authorized by this permit, no equipment or material including but not limited to, fill, construction materials, excavated material or debris, shall be deposited, placed or stored in any wetland or watercourse on or off-site, nor shall any wetland or watercourse be used as a staging area or accessway other than as provided herein.
2. At no time shall heavy equipment, including but not limited to excavators, front-end loaders, trucks, backhoes, tractors and other non-low pressure equipment be staged waterward of the high tide line or in tidal wetlands.
3. The Permittee shall make best efforts to ensure that the structures authorized herein do not impede access by the public to shellfish resources.
4. The Permittee shall not berth any vessel(s) with on board discharge capabilities at the pier authorized herein for a period of more than twenty-four (24) consecutive hours.
5. The Permittee shall ensure that the work authorized herein shall be conducted by a water-based barge only during periods of high water in the area of the proposed dock. Any such barge must move to deeper waters during periods of low water in the area of the proposed dock and at no time shall the barge rest on the bottom. It shall not be a defense to this provision for the Permittee to assert that it has no control over the operation of the barge.
6. All waste material generated by the work authorized herein shall be disposed of at an approved upland location landward of the high tide line and outside of any tidal wetland vegetation.
7. Not later than two (2) weeks prior to the commencement of any work authorized herein, the Permittee shall submit to the Commissioner, on the form attached hereto as Appendix A, the name(s) and address (es) of any contractor(s) employed to conduct such work and the expected date for commencement and completion of such work.
8. On or before (a) ninety (90) days after completion of the work authorized herein, or (b) upon expiration of the work completion date or any authorized one-year extension thereof, whichever is earlier, the Permittee shall submit to the Commissioner "as-built" plans prepared and sealed by a licensed engineer, licensed surveyor or licensed architect, as applicable, of the work area showing all contours, bathymetries, tidal datums and structures.

**GENERAL TERMS AND CONDITIONS**

1. All work authorized by this permit shall be completed within five (5) years from date of issuance of this permit ("work completion date") in accordance with all conditions of this permit and any other applicable law.
  - a. The Permittee may request a one-year extension of the work completion date. Such request shall be in writing and shall be submitted to the Commissioner at least thirty (30) days prior to said work completion date. Such request shall describe the work done to date, work which still needs

to be completed and the reason for such extension. The Commissioner shall grant or deny such request in her sole discretion.

- b. Any work authorized herein conducted after said work completion date or any authorized one year extension thereof is a violation of this permit and may subject the Permittee to enforcement action, including penalties, as provided by law.
2. In conducting the work authorized herein, the Permittee shall not deviate from the attached plans, as may be modified by this permit. The Permittee shall not make de minimis changes from said plans without prior written approval of the Commissioner.
3. The Permittee shall maintain all structures or other work authorized herein in good condition. Any such maintenance shall be conducted in accordance with applicable law including, but not limited to, sections 22a-28 through 22a-35 and sections 22a-359 through 22a-363f of the General Statutes.
4. Prior to the commencement of any work authorized hereunder, the Permittee shall cause a copy of this permit to be given to any contractor(s) employed to conduct such work. At the work area the Permittee shall, whenever work is being performed, make available for inspection a copy of this permit and the final plans for the work authorized herein.
5. The Permittee shall notify the Commissioner in writing of the commencement of any work and completion of all work authorized herein no later than three (3) days prior to the commencement of such work and no later than seven (7) days after the completion of such work.
6. Upon completion of any work authorized herein, the Permittee shall restore all areas impacted by construction, or used as a staging area or accessway in connection with such work, to their condition prior to the commencement of such work.
7. In undertaking the work authorized herein, the Permittee shall not cause or allow pollution of tidal wetlands or watercourses, including pollution resulting from sedimentation and erosion. For purposes of this permit, "pollution" means "pollution" as that term is defined by section 22a-423 of the General Statutes.
8. Any document required to be submitted to the Commissioner under this permit or any contact required to be made with the Commissioner shall, unless otherwise specified in writing by the Commissioner, be directed to:

Permit Section  
Office of Long Island Sound Programs  
Department of Environmental Protection  
79 Elm Street  
Hartford, Connecticut 06106-5127  
(860) 424-3034  
Fax # (860) 424-4054

9. The date of submission to the Commissioner of any document required by this permit shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this permit, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is personally delivered or the date three (3) days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in this permit, the word "day" as used in this permit means calendar day. Any document or action which is required by this permit to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed on or before the next day which is not a Saturday, Sunday, or a Connecticut or federal holiday.
10. The work specified in the SCOPE OF AUTHORIZATION is authorized solely for the purpose set out in this permit. No change in the purpose or use of the authorized work or facilities as set forth in this permit may occur without the prior written authorization of the Commissioner. The Permittee shall, prior to undertaking or allowing any change in use or purpose from that which is authorized by this permit, request authorization from the Commissioner for such change. Said request shall be in writing and shall describe the proposed change and the reason for the change.
11. This permit may be revoked, suspended, or modified in accordance with applicable law.
12. This permit is not transferable without prior written authorization of the Commissioner. A request to transfer a permit shall be submitted in writing and shall describe the proposed transfer and the reason for such transfer. The Permittee's obligations under this permit shall not be affected by the passage of title to the work area to any other person or municipality until such time as a transfer is authorized by the Commissioner.
13. The Permittee shall allow any representative of the Commissioner to inspect the work authorized herein at reasonable times to ensure that it is being or has been accomplished in accordance with the terms and conditions of this permit.
14. In granting this permit, the Commissioner has relied on representations of the Permittee, including information and data provided in support of the Permittee's application. Neither the Permittee's representations nor the issuance of this permit shall constitute an assurance by the Commissioner as to the structural integrity, the engineering feasibility or the efficacy of such design.
15. In the event that the Permittee becomes aware that he did not or may not comply, or did not or may not comply on time, with any provision of this permit or of any document required hereunder, the Permittee shall immediately notify the Commissioner and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. In so notifying the Commissioner, the Permittee shall state in writing the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and the Permittee shall comply with any dates which may be approved in writing by the Commissioner. Notification by the Permittee shall not excuse noncompliance or delay and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically stated by the Commissioner in writing.

16. In evaluating the application for this permit the Commissioner has relied on information and data provided by the Permittee and on the Permittee's representations concerning site conditions, design specifications and the proposed work authorized herein, including but not limited to representations concerning the commercial, public or private nature of the work or structures authorized herein, the water-dependency of said work or structures, its availability for access by the general public, and the ownership of regulated structures or filled areas. If such information proves to be false, deceptive, incomplete or inaccurate, this permit may be modified, suspended or revoked, and any unauthorized activities may be subject to enforcement action.
17. The Permittee may not conduct work waterward of the high tide line or in tidal wetlands at this permit site other than the work authorized herein, unless otherwise authorized by the Commissioner pursuant to CGS section 22a-359 et. seq. and/or CGS section 22a-32 et. seq.
18. The issuance of this permit does not relieve the Permittee of his obligations to obtain any other approvals required by applicable federal, state and local law.
19. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this permit shall be signed by the Permittee and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows: "I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense."
20. This permit is subject to and does not derogate any present or future property rights or powers of the State of Connecticut, and conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the property or activity affected hereby.

Issued on \_\_\_\_\_, 2010

STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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**Betsey Wingfield**  
**Bureau Chief**  
**Bureau of Water Protection & Land Reuse**

**Permit #201001943-MG, Groton**  
**David Yandow**

OFFICE OF LONG ISLAND SOUND PROGRAMS

APPENDIX A

**TO: Permit Section**  
**Department of Environmental Protection**  
**Office of Long Island Sound Programs**  
**79 Elm Street**  
**Hartford, CT 06106-5127**

**PERMITTEE:** David Yandow  
276 Lexington Road  
Glastonbury, CT 06033-4342

**Permit No:** #201001943-MG, Groton

**CONTRACTOR 1:** \_\_\_\_\_

Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_

**CONTRACTOR 2:** \_\_\_\_\_

Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_

**CONTRACTOR 3:** \_\_\_\_\_

Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_

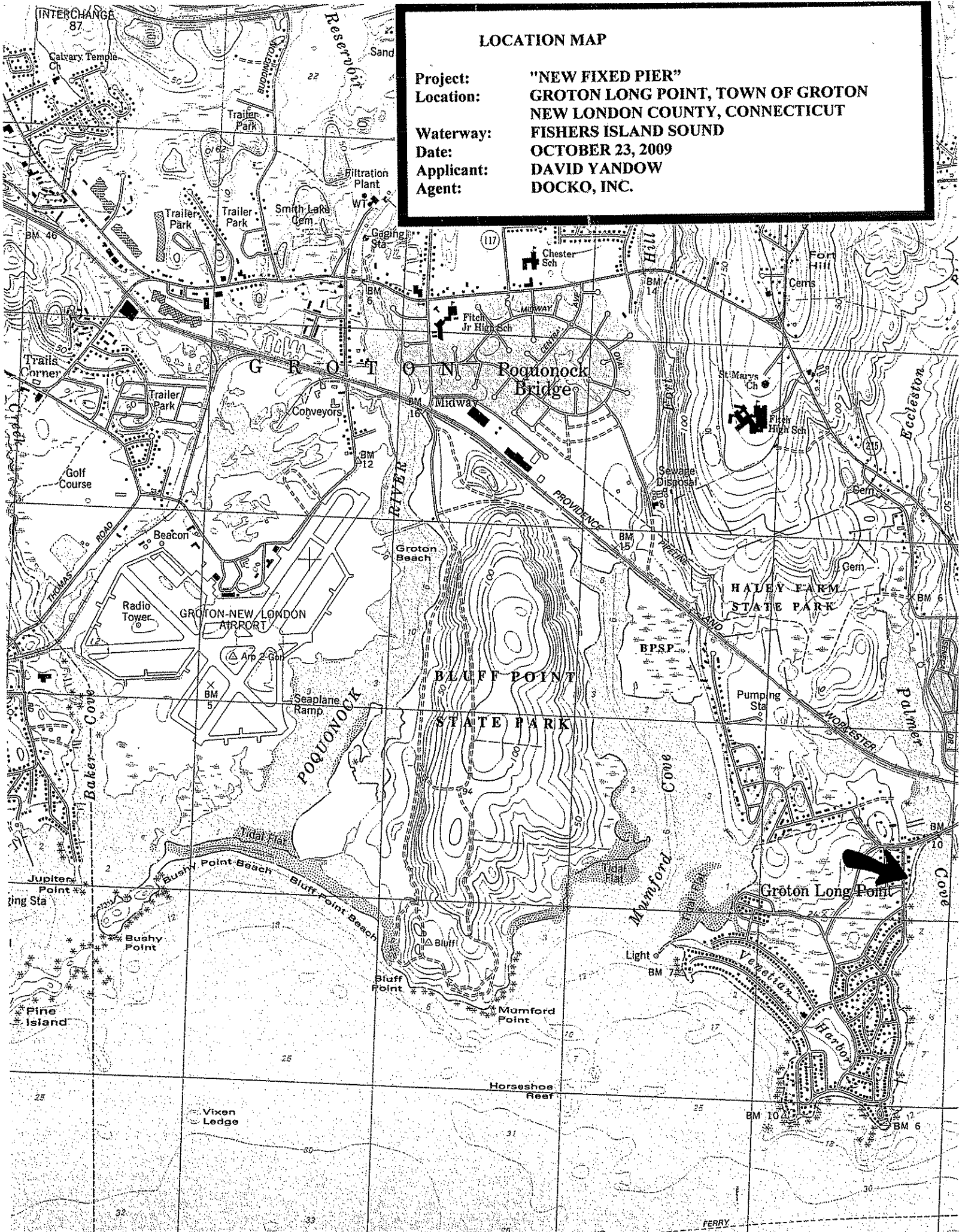
**EXPECTED DATE OF COMMENCEMENT OF WORK:** \_\_\_\_\_

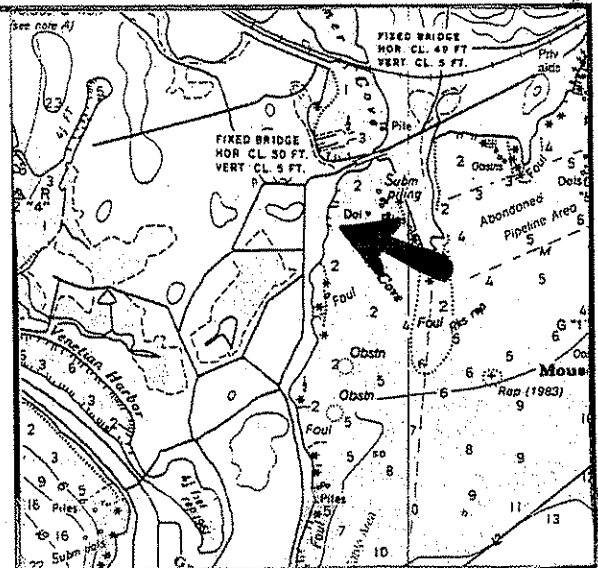
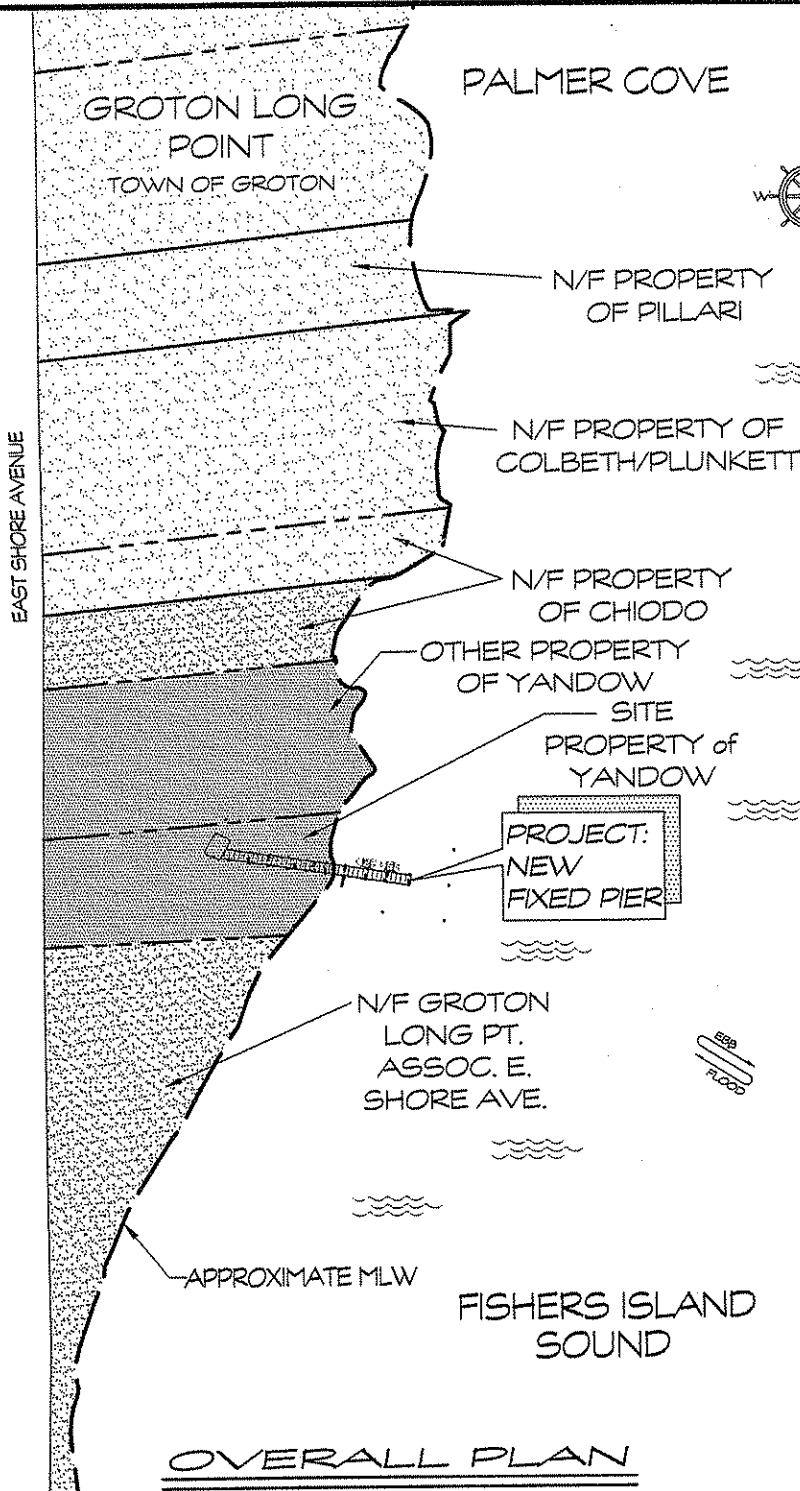
**EXPECTED DATE OF COMPLETION OF WORK:** \_\_\_\_\_

**PERMITTEE:** \_\_\_\_\_  
(signature) (date)

## LOCATION MAP

**Project:** "NEW FIXED PIER"  
**Location:** GROTON LONG POINT, TOWN OF GROTON  
NEW LONDON COUNTY, CONNECTICUT  
**Waterway:** FISHERS ISLAND SOUND  
**Date:** OCTOBER 23, 2009  
**Applicant:** DAVID YANDOW  
**Agent:** DOCKO, INC.





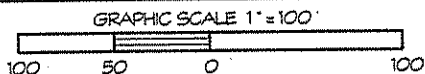
### LOCATION MAP

REFERENCE  
CHART: 12372  
GRAPHIC SCALE  
IN YARDS

### NOTES:

- ELEVATION DATUM IS MEAN LOW WATER
- TIDE DATA IS TAKEN FROM 2009 NOAA TIDE TABLES REFERENCE: NOANK, MYSTIC RIVER, NEW LONDON
- PROJECT DESCRIPTION:  
CONSTRUCT 85±LF OF 5-FT WIDE WOOD PILE AND TIMBER PIER INCLUDING: FOUR TIE-OFF-PILES, TWO PVC LIFTS, A DAVIT, LADDERS AND UTILITIES, WATERWARD OF THE HIGH TIDE LINE AND 110±SF OF CONCRETE LANDING LANDWARD OF THE HIGH TIDE LINE
- PROJECT PURPOSE:  
THIS IS A PRIVATE DOCK FOR RECREATIONAL BOATING
- THESE APPLICATION DRAWINGS REPRESENT A COMPILATION OF SURVEYS FOR PERMIT PURPOSES. THEY ARE NOT CONSTRUCTION CONTRACT DOCUMENTS. A TOWN/CITY BUILDING PERMIT MAY BE REQUIRED.
- ADJOINING PROPERTY OWNERS:  
NORTH:  
KATHERINE N. CHIDO  
PO BOX 841  
WINDSOR, CT 06095  
SOUTH:  
GROTON LONG POINT ASSOCIATION  
ATLANTIC AVE  
GROTON LONG POINT, CT 06340

### OVERALL PLAN



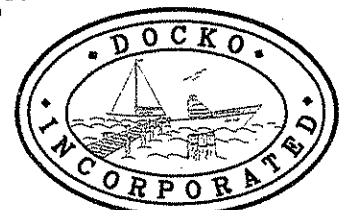
PROJECT: NEW FIXED PIER

LOCATION: GROTON LONG POINT - TOWN of GROTON  
NEW LONDON COUNTY, CONNECTICUT  
WATERWAY: FISHERS ISLAND SOUND  
DATE: OCTOBER 23, 2009  
APPLICANT: DAVID YANDOW

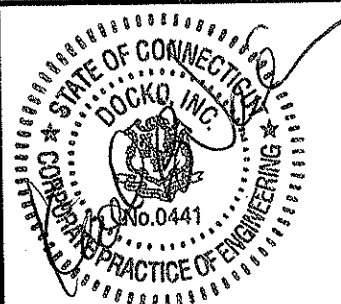
AGENT: SHEET 1 OF 4

**DOCKO, INC.**

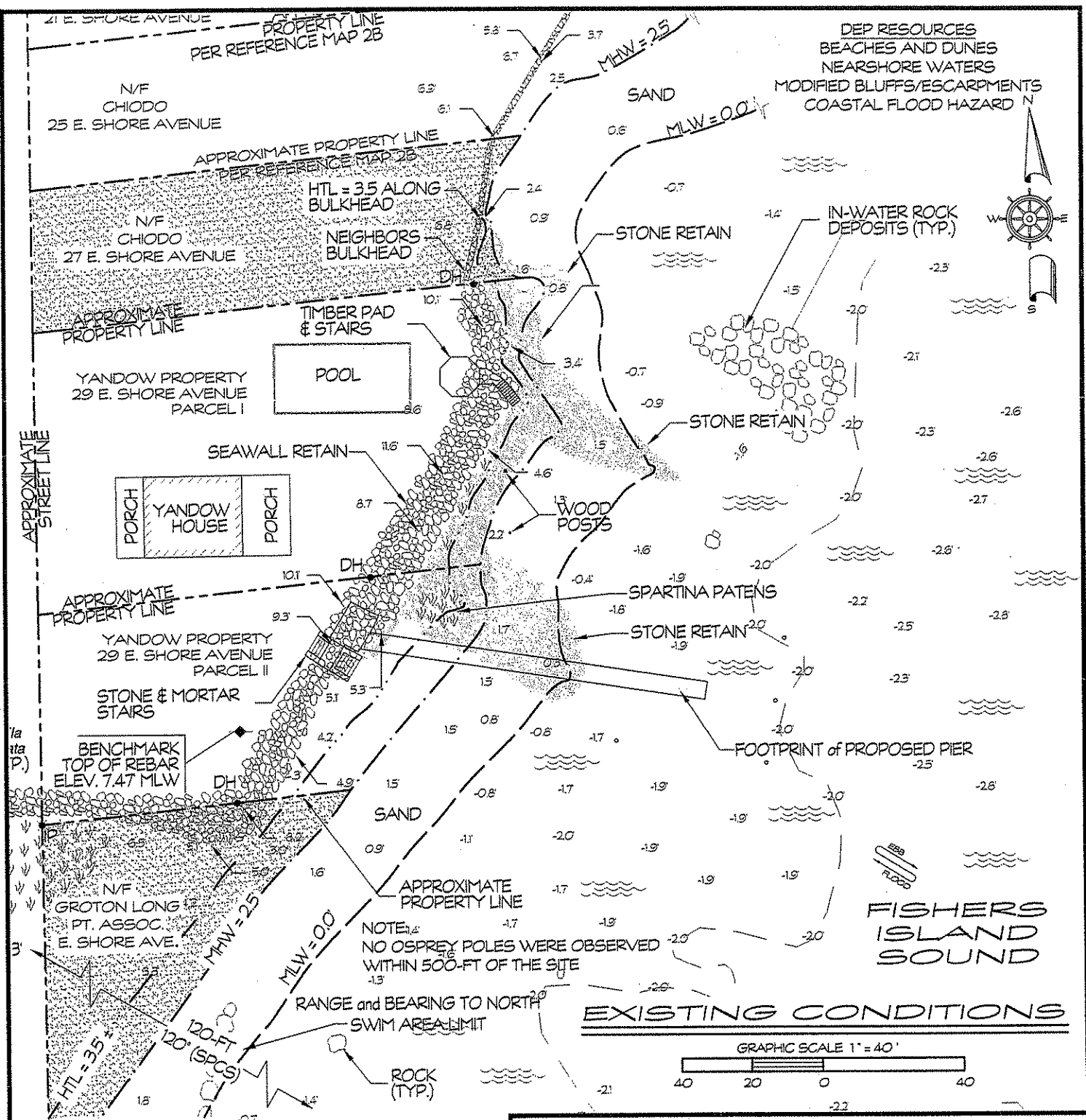
Keith B. Neilson, PE  
Mystic, CT 06355  
860 572 8939 FAX 860 572 7569  
EMAIL: docko@snet.net



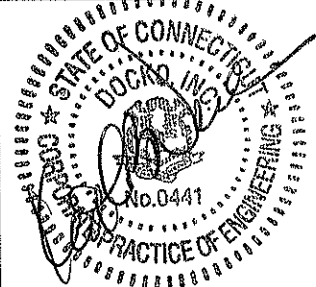
DWG 09-06-2131



REVISED 2-2-10 GLPHM  
PIER LOC/NOTE 5  
REVISED 3-8-10 GLPHM  
PIER LOC & DESCRIPTION  
REVISED 3-10-10 BOA  
DESCRIPTION



SURVEY by COASTLINE CONSULTING and DEVELOPMENT



REVISED 1-25-10 DI  
SURVEY NOTE  
REVISED 3-8-10 GLPHM  
FOOTPRINT  
REVISED 3-10-10 BOA  
TIE-OFF PILES  
REVISED 3-26-10 GLPHM  
GLP SWIM AREA

PROJECT: NEW FIXED PIER

LOCATION: GROTON LONG POINT - TOWN OF GROTON  
NEW LONDON COUNTY, CONNECTICUT

WATERWAY: FISHERS ISLAND SOUND

DATE: OCTOBER 23, 2009

APPLICANT: DAVID YANDOW

AGENT: SHEET 2 OF 4

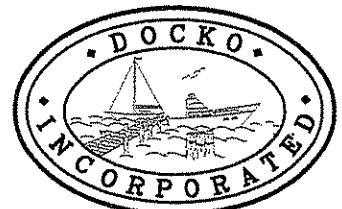
**DOCKO, INC.**

Keith B. Neilson, PE

Mystic, CT 06355

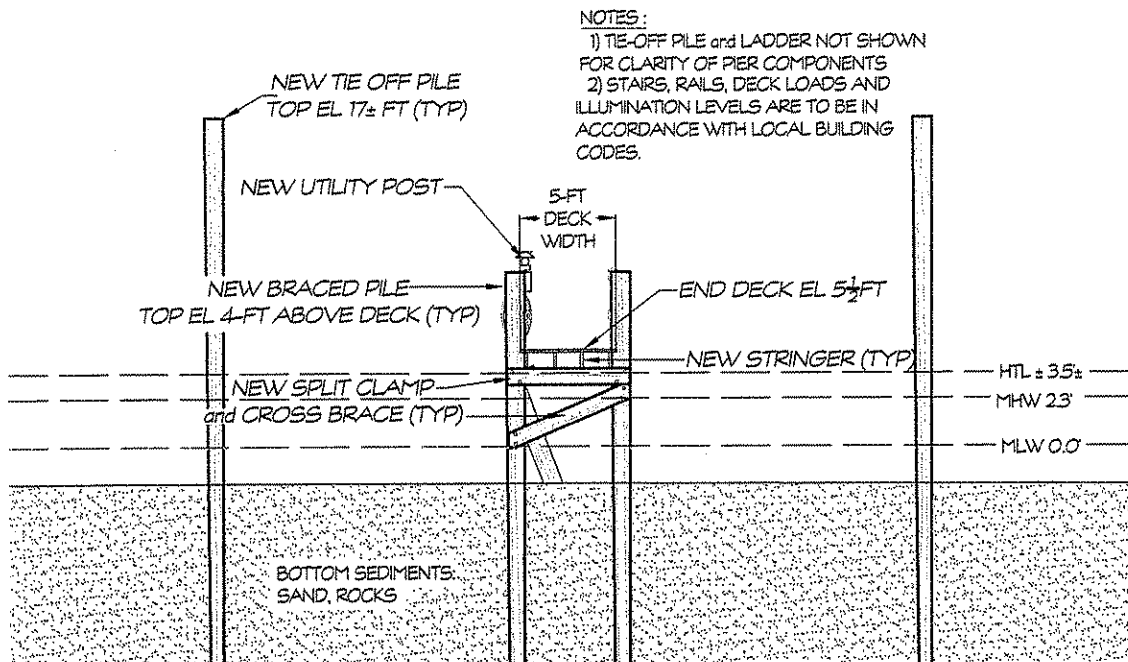
860 572 8939 FAX 860 572 7569

EMAIL: docko@snet.net

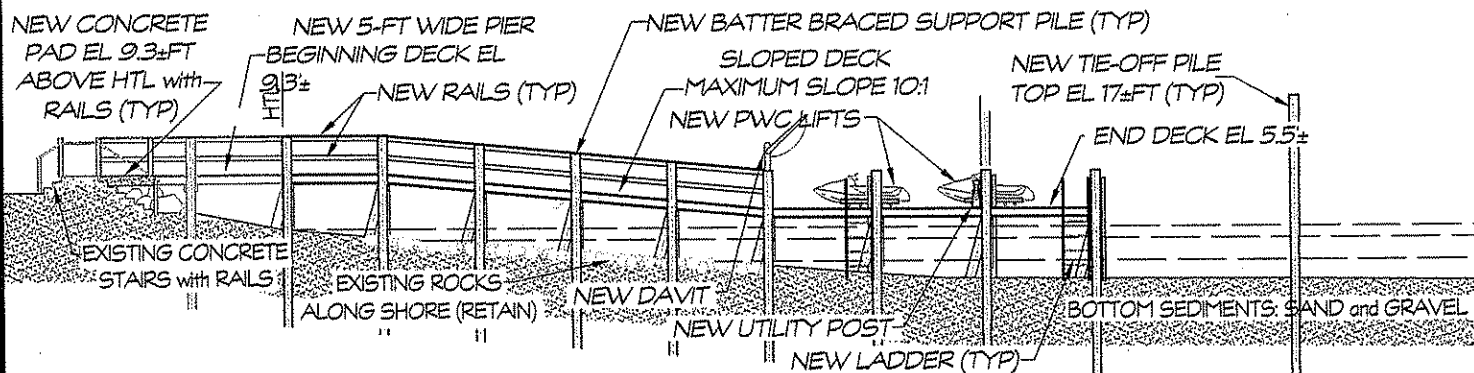
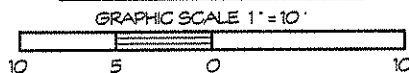


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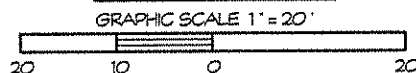




### END VIEW



### PROFILE



PROJECT: NEW FIXED PIER

LOCATION: GROTON LONG POINT - TOWN OF GROTON  
NEW LONDON COUNTY, CONNECTICUT

WATERWAY: LONG ISLAND SOUND

DATE: OCTOBER 7, 2009

APPLICANT: DAVID YANDOW

AGENT: SHEET 4 OF 4

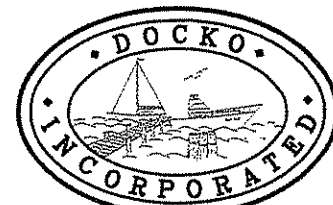
**DOCKO, INC.**

Keith B. Neilson, PE

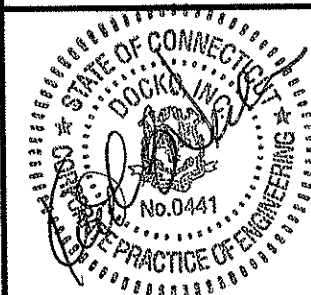
Mystic, CT 06355

860 572 8939 FAX 860 572 7569

EMAIL: docko@snet.net



DWG 09-06-2131



REVISED 2-2-10 GLPHM  
PIER LOCATION

REVISED 3-8-10 GLPHM  
PIER LOCATION